

STAFF REPORT

Meeting Date: September 21, 2005

Agenda Item 9

LAFCO CASE

NAME & NO: LAFCO 05-10 Calleguas Municipal Water District Annexation – Oxnard Ninth Fringe

PROPOSAL: To annex one lot into the Calleguas Municipal Water District for the purpose of providing water service.

SIZE: Approximately 5.86 acres

LOCATION: 2340 Eastman Avenue, Oxnard, plus a portion of East Fifth Street and a portion of Union Pacific Railroad property. The parcel is located on the south side of Eastman Avenue between Lombard Street and Candelaria Road in the City of Oxnard. The parcel is currently within the Calleguas Municipal Water District Sphere of Influence.

PROPONENT: Calleguas Municipal Water District by resolution.

NOTICE: This matter has been noticed as a PUBLIC HEARING as prescribed by law.

ASSESSOR PARCEL INFORMATION: 216-0-193-065; 216-0-193-110 (portion)

COMMISSIONERS AND STAFF

COUNTY:
Linda Parks, Vice Chair
Kathy Long
Alternate:
Steve Bennett

CITY:
Don Waunch
John Zaragoza
Alternate:
Janice Parvin

SPECIAL DISTRICT:
Dick Richardson, Chair
Ted Grandsen
Alternate:
George Lange

PUBLIC:
Kenneth M. Hess
Alternate:
Louis Cunningham

EXECUTIVE OFFICER:
Everett Millais

LAFCO ANALYST:
Kim Uhlich

OFFICE MANAGER/CLERK:
Debbie Schubert

LEGAL COUNSEL:
Leroy Smith

RECOMMENDATIONS

- A. Certify that the Commission has reviewed and considered the information contained in the CEQA Notice of Exemption prepared by the Calleguas Municipal Water District as lead agency, dated May 5, 2005, and determine that the annexation is exempt under Section 15301 (Existing Facilities) of the CEQA Guidelines.
- B. Adopt the attached resolution (LAFCO 05-10) making determinations and approving the Calleguas Municipal Water District Annexation – Oxnard Ninth Fringe.

GENERAL ANALYSIS

1. Land Use

Site Information

	Land Use	Zone District Classification	General Plan Designation
Existing	Manufacturing (Parcel is developed and occupied by PTI Advanced Filtration)	City: M-1 (Light Industrial) County: NA	City: Light Industrial County: NA
Proposed	No change	City: No change County: NA	City: No change County: NA

Conformity with Plans

The parcel is in the City of Oxnard and within the Sphere of Influence of the Calleguas Municipal Water District. The existing light industrial use of the lot is consistent with the City of Oxnard's Industrial General Plan designation and M-1 (Industrial) zoning for the parcel.

The Parcel is located within the SOAR and CURB boundaries for the City of Oxnard.

Surrounding Land Uses and Zoning and General Plan Designations

The proposal area and surrounding parcels to the east, west and north are within the City of Oxnard boundaries. The surrounding land uses within the City are all developed with light industrial uses and are consistent with the City's zoning and general plan designations. Therefore, the zoning, land use and general plan designations for the proposal area are consistent with those of the surrounding land uses.

Immediately south of the subject parcel are rail road tracks owned by Union Pacific, and Fifth Street lies immediately south of the tracks with unincorporated agricultural land on the opposite side. The existing use of the subject parcel is not considered to be incompatible with this agricultural use.

Topography, Natural Features and Drainage

The proposal area is relatively flat with an overall slope of less than five percent and is currently developed with a building, parking lot, and landscaping.

2. Impact on Prime Agricultural Land, Agriculture, and Open Space

Agricultural Land and Agriculture

The proposal area is located in an urbanized area, zoned for industrial development and is currently developed with a light industrial use.

There are no agricultural uses on the lot. The parcel is not subject to a Land Conservation Act contract or a Farmland Security Zone agreement, and is not located within a greenbelt. However, agricultural land is located immediately south of the proposal area in the unincorporated area and the southern boundary of the proposal area is coterminous with the Oxnard CURB and the County SOAR boundaries. The southern boundary of the subject parcel abuts a portion of the Oxnard-Camarillo Greenbelt boundary. However, as indicated above, the existing use of the subject parcel is part of a larger industrial park development within the City and is not considered to be incompatible with the agricultural uses to the south.

Open Space

The proposal area is not considered open space pursuant to Government Code Sections 56059 and 65560.

3. Population

According to the County Registrar of Voters, there are less than 12 registered voters on the site. As such, the annexation proposal area is considered to be uninhabited under the provisions of LAFCO law relating to protest proceedings.

4. Services and Controls – Need, Cost, Adequacy and Availability

As indicated above, the subject parcel is currently developed and receives water from the City of Oxnard delivered via a main line running under Eastman Avenue. The City receives wholesale water from the Calleguas Municipal Water District. No additional water lines would need to be constructed as a result of this proposal.

Calleguas Municipal Water District has represented that it has the ability and capacity to service the annexation area. Ongoing operations, maintenance and improvements will be financed by revenues received from water sales, a standby charge, annexation fees and capital fees. There will be no change to any other existing services.

5. Boundaries and Lines of Assessment

The boundaries are definite and certain. There are no conflicts with lines of assessment or ownership.

The maps and legal descriptions for this proposal received from the proponent have been checked by the County Surveyor and have been certified as being accurate and sufficient for the preparation of a Certificate of Completion pursuant to Government Code Section 57201 and for filing with the State Board of Equalization.

6. Assessed Value, Tax Rates and Indebtedness

The assessed land value of the lot per the 2004 - 2005 tax roll is \$1,024,527. According to the County Assessor, the parcel is currently in tax rate area 03195. This tax rate area has a rate of \$1.190437 per \$100 of assessed valuation. Upon

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According to the County Assessor, the parcel is currently in tax rate area 03195. This tax rate area has a rate of \$1.190437 per \$100 of assessed valuation. Upon the completion of proceedings, the parcel will be assigned to Tax Rate Area 03271 with a tax rate of \$1.196237 per \$100 of assessed valuation. This increase in property tax rates reflects the amount authorized to be collected for territory served by the Metropolitan Water District.

7. Environmental Impact of the Proposal

The Calleguas Municipal Water District is the lead agency for this proposal and found the proposal to be categorically exempt under Section 15301 (minor alteration of existing structures involving negligible or no expansion of use) of the California Environmental Quality Act Guidelines. As the annexation is to acknowledge the existing provision of water service to an existing, developed lot requiring no expansion of the current use, a categorical exemption is appropriate for this proposal.

8. Regional Housing Needs

According to the California Housing and Community Development Department the City of Oxnard adopted an updated General Plan Housing Element on December 19, 2000 and completed State review for compliance on May 10, 2001. The annexation proposal area is developed consistent with the City's General Plan. Therefore, the proposal will have no effect on the fair share of the regional housing needs for the City of Oxnard.

9. Landowner and Annexing Agency Consent

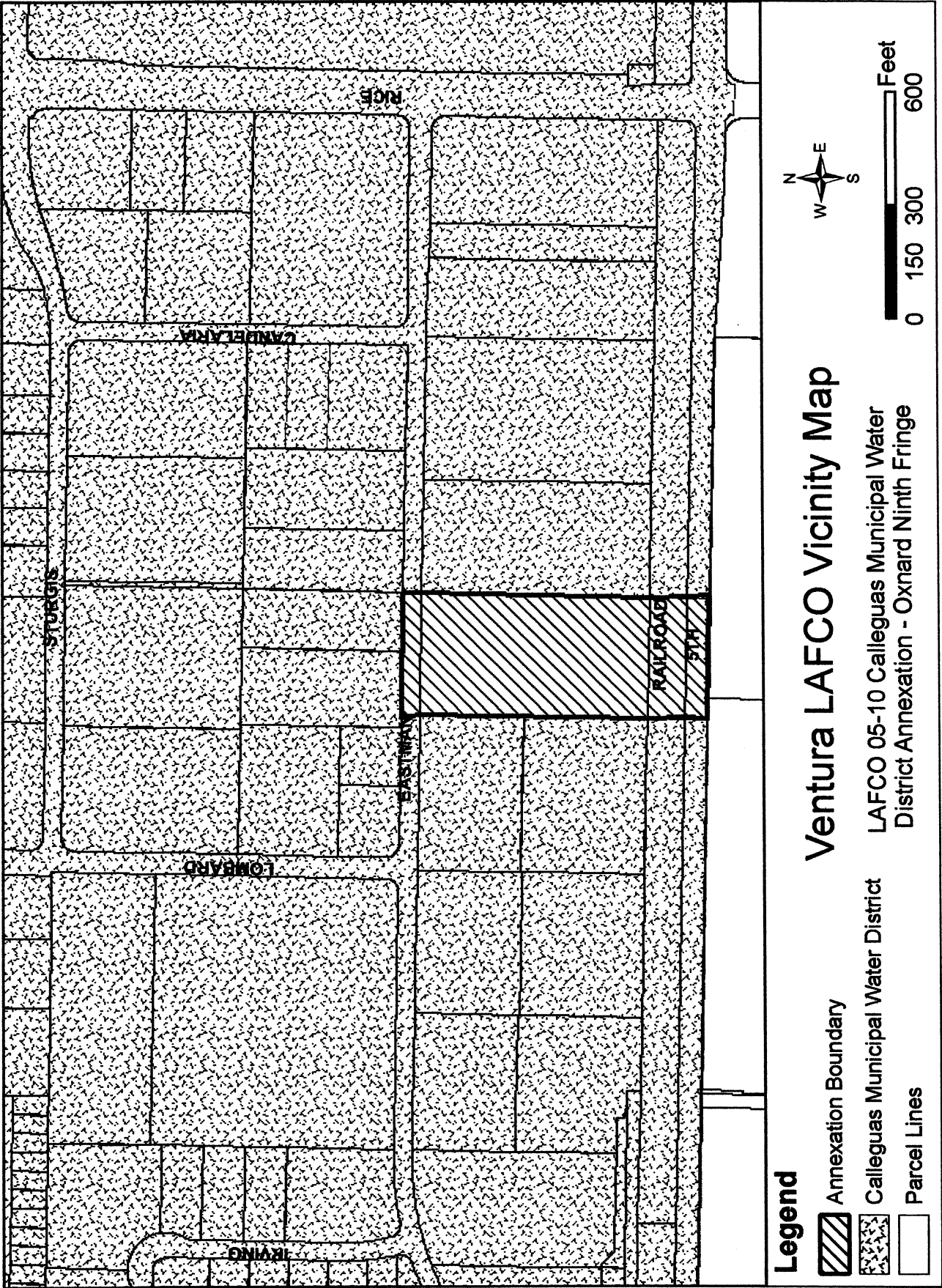
Consent to annex has not been received by the Union Pacific Railroad Company. As there is not 100 percent consent of all the landowners involved, the proposal is subject to conducting authority proceedings. Thus, all property owners and all registered voters within the affected area will receive a notice describing the proposal and how protests may be filed. Authority to conduct the protest proceeding has been delegated to the LAFCO Executive Officer. The proposal area is considered to be uninhabited and, as such, only landowner protests may be considered as part of the protest proceedings. Depending on the number of eligible landowner protests received during the conducting authority proceedings, the annexation will either be finalized or will be brought back to the Commission for ordering termination.

ALTERNATIVE ACTIONS AVAILABLE:

- A. If the Commission, following public testimony and review of the materials submitted, determines that further information is necessary, a motion to continue the proposal should state specifically the type of information desired and specify a date certain for further consideration.
- B. If the Commission, following public testimony and review of materials submitted, wishes to deny or modify this proposal, a motion to deny should include adoption of this Report and all referenced materials as part of the public record.

BY: Kim Uhlich
Kim Uhlich, Senior Analyst

Attachments: (1) Vicinity Map
 (2) LAFCO 05-10 Resolution



ATTACHMENT 2

LAFCO 05-10

RESOLUTION OF THE VENTURA LOCAL AGENCY FORMATION COMMISSION MAKING DETERMINATIONS AND APPROVING THE CALLEGUAS MUNICIPAL WATER DISTRICT ANNEXATION – OXNARD NINTH FRINGE

WHEREAS, the above-referenced proposal has been filed with the Executive Officer of the Ventura Local Agency Formation Commission pursuant to the Cortese/Knox/Hertzberg Local Government Reorganization Act of 2000 (Section 56000 of the California Government Code); and

WHEREAS, at the times and in the manner required by law, the Executive Officer gave notice of the proposal as required by law; and

WHEREAS, the proposal was duly considered on September 21, 2005; and

WHEREAS, the Commission heard, discussed and considered all oral and written testimony for and against the proposal including, but not limited to, the LAFCO Executive Officer's Staff Report and recommendation, the environmental determination, and applicable local plans and policies; and

WHEREAS, not all landowners within the affected territory have consented to the proposal; and

WHEREAS, proof has been given to the Commission that the affected territory has less than 12 registered voters and is considered uninhabited; and

WHEREAS, the Local Agency Formation Commission finds the proposal to be in the best interest of the landowners and present and future inhabitants within the Calleguas Municipal Water District and within the affected territory, and the organization of local governmental agencies within Ventura County.

NOW, THEREFORE, BE IT RESOLVED, DETERMINED AND ORDERED by the Ventura Local Agency Formation Commission as follows:

- (1) The LAFCO Executive Officer's Staff Report and Recommendation for approval of the proposal dated September 21, 2005, is adopted.
- (2) The annexation to the Calleguas Municipal Water District, with boundaries as generally set forth in the attached Exhibit A, is hereby approved subject to conducting authority proceedings as prescribed in Government Code Sections 57000 to 57090.
- (3) The affected territory is uninhabited as defined by Government Code §56046.

- (4) The subject proposal is assigned the following distinctive short form designation: **LAFCO 05-10 CALLEGUAS MUNICIPAL WATER DISTRICT ANNEXATION – OXNARD NINTH FRINGE.**
- (5) The Commission has reviewed and considered the lead agency's determination that the annexation is categorically exempt under Section 15301 (Minor alteration of existing structures involving negligible or no expansion of use) of the California Environmental Quality Act Guidelines, and finds the annexation to be categorically exempt under Section 15301 (Minor alteration of existing structures involving negligible or no expansion of use).
- (6) The Commission directs staff to file a Notice of Exemption in the same manner as a lead agency, under Section 15062 of the California Environmental Quality Act Guidelines.
- (7) **This reorganization shall not be recorded until all LAFCO fees have been paid and until fees necessary for filing with the State Board of Equalization have been submitted to the Executive Officer.**
- (8) The Executive Officer is hereby directed to conduct protest proceedings in accordance with Government Code Section 57050.
- (9) The Commission hereby delegates to the Executive Officer the authority to determine the amount of the protest pursuant to Government Code Section 57075(b).

This resolution was adopted on September 21, 2005.

AYES:

NOES:

ABSTAINS:

Dated: _____
Chair, Ventura Local Agency Formation Commission

Attachments: Exhibit A

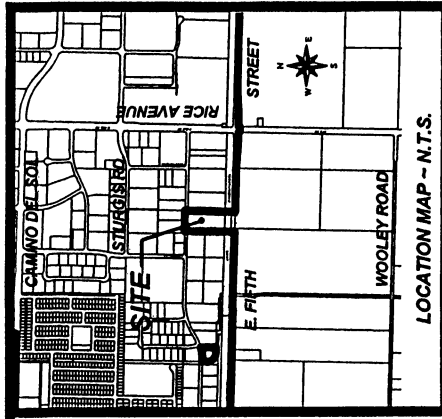
Copies: Calleguas Municipal Water District
Ventura County Assessor
Ventura County Auditor
Ventura County Surveyor
Ventura County Planning
Ventura County Elections – Registrar of Voters

The Ventura County Surveyor's office of the Public Works Agency certifies this map and legal description to be definite and certain.

Certified by: *Zell Rawlins*

Date: *6/24/05*

05-10

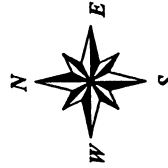


COURSES	
1 - N 00°05'54" E	160.00'
2 - N 00°01'32" W	626.01'
3 - N 89°58'28" E	325.56'
4 - S 00°05'54" W	786.72'
5 - N 89°54'06" W	324.21'

5.86 ACRES

5.86 ACRES - GROSS AREA
-1.37 ACRES - ROAD & RR AREA
4.49 ACRES - NET AREA

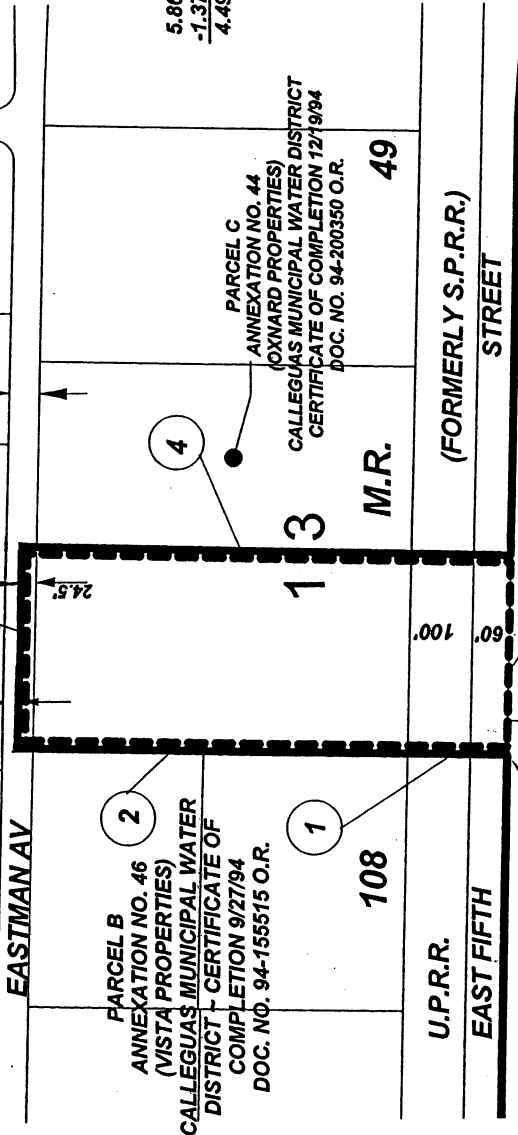
PREPARED BY:
CALLEGUAS MUNICIPAL WATER DISTRICT
2100 OLSEN ROAD
THOUSAND OAKS, CALIFORNIA
91360-6800
(805) 526-9323



200 0 200 400 Feet

CANDELARIA RD

PARCEL 7
ANNEXATION NO. 5
(OXNARD FIRST FRINGE AREA)
CALLEGUAS MUNICIPAL WATER DISTRICT
12/8/64 - SECRETARY OF STATE



Zell Rawlins

CALLEGUAS MUNICIPAL WATER DISTRICT ANNEXATION
OXNARD NINTH FRINGE - PARCEL A
(ANNEXATION NO. 83)

BEING A PORTION OF LOT 13 OF TRACT NO. 3943 AND PORTIONS SOUTHERN PACIFIC RAILROAD, EAST FIFTH STREET AND EASTMAN AVENUE, IN THE CITY OF OXNARD, COUNTY OF VENTURA, STATE OF CALIFORNIA, PER 108 M.R. 49.

JANUARY 31, 2004 - REVISED MARCH 9, 2004

SHEET 1 OF 1

**CALLEGUAS MUNICIPAL WATER DISTRICT ANNEXATION
OXNARD NINTH FRINGE – PARCEL A
(ANNEXATION NO. 83)**

That portion of Lot 13 of Tract No. 3943 and portions of Southern Pacific Railroad, East Fifth Street and Eastman Avenue, in the City of Oxnard, County of Ventura, State of California, as said Lot 13, Southern Pacific Railroad, East Fifth Street and Eastman Avenue are shown on the map recorded in the office of the County Recorder of said County in Book 108, Page 49 of Miscellaneous Records, described as follows:

Beginning at a point in the southerly line of said East Fifth Street, 60.00 feet wide, said point also being the southerly terminus of the 2nd course of Parcel B of Annexation No. 46 (Vista Properties) to the Calleguas Municipal Water District, as described in the Certificate of Completion, recorded on September 27, 1994 in the office of said County Recorder as Document No. 94-155515 of Official Records; thence, along the boundary of said Calleguas Municipal Water District by the following four courses:

- 1st - North 00°05'54" East 160.00 feet to the southwesterly corner of said Lot 13; thence, along the westerly line of said lot and the northerly prolongation thereof,
- 2nd - North 00°01'32" West 626.01 feet to the centerline of Eastman Avenue, 49.00 feet wide; thence, along said centerline,
- 3rd - North 89°58'28" East 325.56 feet; thence,
- 4th - South 00°05'54" West 786.72 feet to said southerly line of said East Fifth Street, 60.00 feet wide; thence, leaving said boundary of said Calleguas Municipal Water District along said southerly line,
- 5th - North 89°54'06" West 324.21 feet to the point of beginning.

5.86 Acres – Gross Area
-1.37 Acres – Road & RR Area
4.49 Acres – Net Area

The Ventura County Surveyor's office of the Public Works Agency certifies this map and legal description to be definite and certain.

Certified by:

Alan Azell Rawlins

Date:

6/24/05



Alan Azell Rawlins